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HOUSE RESOLUTION NO. 1

INTRODUCED BY ****

BY REQUEST OF THE ****

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING THE HOUSE RULES.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the following House Rules be adopted:

**RULES OF THE MONTANA
HOUSE OF REPRESENTATIVES**

CHAPTER 1

Administration

H10-10. House officers -- definitions. (1) House officers include a Speaker, a Speaker pro tempore, majority and minority leaders, and majority and minority whips.

(2) A majority of representatives voting elects the Speaker and Speaker pro tempore from the House membership. A majority of each caucus voting nominates House members to the remaining offices, and those nominees are considered to have been elected by a majority vote of the House.

(3) (a) "Majority leader" means the leader of the majority party, elected by the caucus.

(b) "Majority party" means the party with the most members, subject to subsection (4).

(c) "Minority leader" means the leader of the minority party, elected by the caucus.

(d) "Minority party" means the party with the second most members, subject to subsection (4).

(4) If there are an equal number of members of the two parties with the most members, then the majority party is the party of the Speaker and the minority party is the other party with an equal number of members.

H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

1 (2) The Speaker shall see that all members conduct themselves in a civil manner in accordance with
2 accepted standards of parliamentary conduct. The Speaker may, when necessary, order the Sergeant-at-Arms
3 to clear the aisles and seat the members of the House so that business may be conducted in an orderly
4 manner.

5 (3) Signs, placards, visual displays, or other objects of a similar nature are not permitted in the rooms,
6 lobby, gallery, or on the floor of the House. The Speaker may order the galleries, lobbies, or hallway cleared in
7 case of disturbance or disorderly conduct.

8 (4) The Speaker shall sign all necessary certifications by the House, including enrolled bills and
9 resolutions, journals, and subpoenas, ~~and payrolls~~.

10 (5) The Speaker shall arrange the agendas for second and third readings each legislative day.
11 Representatives may amend the agendas as provided in H40-130.

12 (6) The Speaker is the chief officer of the House, with authority for all House employees.

13 (7) The Speaker may name any member to perform the duties of the chair. If the House is not in
14 session and the Speaker pro tempore is not available, the Speaker shall name a member who shall call the
15 House to order and preside during the Speaker's absence.

16 (8) Upon request of the Minority Leader, the Speaker will submit a request for a fiscal note on any bill.

17 **H10-30. Speaker-elect.** During the transition period between the party organization caucuses and the
18 election of House officers, the Speaker-elect has the responsibilities and authority appropriate to organize the
19 House. Authority includes approving presession expenditures.

20 **H10-40. Speaker pro tempore duties.** The Speaker pro tempore shall, in the absence or inability of
21 the Speaker, call the House to order and perform all other duties of the chair in presiding over the deliberations
22 of the House and shall perform other duties and exercise other responsibilities as may be assigned by the
23 Speaker.

24 **H10-50. Majority Leader.** The primary functions of the majority leader usually relate to floor duties. The
25 duties of the majority leader may include but are not limited to:

26 (1) being the lead speaker for the majority party during floor debates;

27 (2) helping the Speaker develop the calendar;

28 (3) assisting the Speaker with program development, policy formation, and policy decisions; and

1 **H10-100. Chief Clerk's duties.** The Chief Clerk, under the supervision of the Speaker, is the chief
2 administrative officer of the House and is responsible to:

- 3 (1) supervise all House employees;
- 4 (2) have custody of all records and documents of the House;
- 5 (3) supervise the handling of legislation in the House, the House journal, and other House publications;
- 6 deliver to the Secretary of State at the close of each session the House journal, bill and resolution records, and
- 7 all original House bills and joint resolutions; collect ~~minutes audio recording logs~~ and exhibits from all House
- 8 committees and subcommittees and ~~arrange to have them printed on archival paper and copied provide them~~ in
- 9 an electronic format within a reasonable time after each meeting. An electronic copy will be provided to the
- 10 Legislative Services Division ~~and the State Law Library of Montana. The archival paper copy will be delivered to~~
- 11 ~~the Montana Historical Society.~~

12 **H10-110. Duties of Sergeant-at-Arms.** The Sergeant-at-Arms shall:

- 13 (1) under the direction of the Speaker and the Chief Clerk, have charge of and maintain order in the
- 14 House, its lobbies, galleries, and hallways and all other rooms in the Capitol assigned for the use of the House;
- 15 (2) be present whenever the House is in session and at any other time as directed by the presiding
- 16 officer;
- 17 (3) execute the commands of the House and serve the writs and processes issued by the authority of
- 18 the House and directed by the Speaker;
- 19 (4) supervise assistants to the Sergeant-at-Arms, who shall aid in the performance of prescribed duties
- 20 and who have the same authority, subject to the control of the Speaker;
- 21 (5) clear the floor and anteroom of the House of all persons not entitled to the privileges of the floor
- 22 prior to the convening of each session of the House;
- 23 (6) bring in absent members when so directed under a call of the House;
- 24 (7) enforce the distribution of any printed matter in the House chambers and anteroom in accordance
- 25 with H20-70;
- 26 (8) enforce parking regulations applicable to areas of the Capitol complex under the control of the
- 27 House;
- 28 (9) supervise the doorkeeper; and

1 (4) Any representative may examine the daily journal and propose corrections. The Speaker may direct
2 a correction to be made when suggested subject to objection by the House.

3 (5) The Speaker shall authenticate the House journal after the close of the session.

4 (6) The Legislative Services Division shall publish and distribute the House journal (sections 5-11-202
5 and 5-11-203, MCA). The title of each bill must be listed in the index of the published session journal.

6 **H10-150. Votes recorded and public.** Every vote of each representative on each substantive question
7 in the House, in any committee, or in Committee of the Whole must be recorded and made public (Montana
8 Constitution, Art. V, Sec. 11).

9 **H10-160. Duration of legislative day.** A legislative day ends either 24 hours after the House convenes
10 for that day or at the time the House convenes for the following legislative day, whichever is earlier. (See Joint
11 Rule 10-20.)

12 **CHAPTER 2**

13 **Decorum**

14 **H20-10. Addressing the House -- recognition.** (1) When a member desires to speak to or address
15 any matter to the House, the member should rise and respectfully address the Speaker or the presiding officer.

16 (2) The Speaker or presiding officer may ask, "For what purpose does the member rise?" or "For what
17 purpose does the member seek recognition?" and may then decide if recognition is to be granted, except that
18 the Speaker or presiding officer shall always recognize the Speaker pro tempore, the majority leader, or the
19 minority leader.

20 **H20-20. Questions of order and privilege -- appeal -- restrictions -- definitions.** (1) The Speaker
21 shall decide all questions of order and privilege and decisions of recognition, subject to an appeal by any
22 representative, ~~seconded by two representatives~~, to the House for determination by majority vote. The question
23 on appeal is, "Shall the decision of the chairman be sustained?"

24 (2) Responses to parliamentary inquiries may not be appealed.

25 (3) Questions of order and privilege, in order of precedence, are:

26 (a) those affecting the collective rights, safety, dignity, and integrity of the House; and

27 (b) those affecting the rights, reputation, and conduct of individual representatives.

28 (4) A member may not address the House on a question of privilege between the time:

1 (a) an undebatable motion is offered and the vote is taken on the motion;

2 (b) the previous question is ordered and the vote is taken on the proposition included under the
3 previous question; or

4 (c) a motion to lay on the table is offered and the vote is taken on the motion.

5 (5) (a) "Parliamentary inquiry" means a request for information regarding some procedure concerning
6 some questions before the house.

7 (b) "Questions of order and privilege" means those questions as provided for in subsection (3) that
8 enforce the House rules, maintain the order of the House, and protect the integrity, rights, and privileges of the
9 House and its members.

10 **H20-30. Limits on lobbying.** Lobbying on the House floor and in the anteroom is prohibited during a
11 daily session, 2 hours before the session, and 2 hours after the session. A registered lobbyist is prohibited from
12 the house floor.

13 **H20-40. Admittance to the House floor.** (1) The following persons may be admitted to the House floor
14 during a daily session: present legislators and former legislators who are not registered lobbyists; legislative
15 employees necessary for the conduct of the session; registered media representatives; and members' spouses
16 and children. The Speaker may allow exceptions to this rule.

17 (2) Only a member may sit in a member's chair when the House is in session.

18 **H20-50. Dilatory motions or questions -- appeal.** The House has a right to protect itself from dilatory
19 motions or questions used for the purpose of delaying or obstructing business. The presiding officer shall
20 decide if motions (except a call of the House) or questions are dilatory. This decision may be appealed to the
21 House for a determination by majority vote.

22 **H20-60. Lobbying by employees -- sanctions.** (1) A legislative employee or aide of either house is
23 prohibited from lobbying, although a legislative committee may request testimony from a person so restricted.

24 (2) The Speaker may discipline or discharge any House employee violating this prohibition. The
25 Speaker may withdraw the privileges of any House aide violating this prohibition.

26 **H20-70. Papers distributed on desks -- exception.** A paper concerning proposed legislation may not
27 be placed on representatives' desks unless it is authorized by a member and permission has been granted by
28 the Speaker. The Sergeant-at-Arms shall direct its distribution. This restriction does not apply to material

1 prepared by staff and placed on a representative's desk at the request of the representative.

2 **H20-80. Violation of rules -- procedure -- appeal.** (1) If a member, in speaking or otherwise, violates
3 the rules of the House, the Speaker shall, or the majority or minority leader may, call the member to order, in
4 which case the member called to order must be seated immediately.

5 (2) The member called to order may move for an appeal to the House ~~and if the motion is seconded by~~
6 ~~two members, the~~ The matter must be submitted to the House for determination by majority vote. The motion is
7 nondebatable.

8 (3) If the decision of the House is in favor of the member called to order, the member may proceed. If
9 the decision is against the member, the member may not proceed.

10 (4) If a member is called to order, the matter may be referred to the Rules Committee by the minority or
11 majority leader. The Committee may recommend to the House that the member be censured or be subject to
12 other action. Censure consists of an official public reprimand of a member for inappropriate behavior. The
13 House shall act upon the recommendation of the Committee.

14 **CHAPTER 3**

15 **Committees**

16 **H30-05. Interim committee appointments.** (1) The Speaker shall, with the approval of the House by a
17 majority vote, appoint the membership of interim committees no later than 10 legislative days before the
18 scheduled 90th legislative day or 3 legislative days prior to adjournment sine die if before the 90th legislative
19 day.

20 (2) A change by the Speaker of an interim committee appointment or the filling of a vacancy may be
21 approved by the House by a majority vote.

22 (3) (a) As provided in subsection (3)(b), the House may change the membership of any interim
23 committee by a three-fifths vote of the members present and voting on 3 legislative days' notice.

24 (b) A member under Order of Business No. 9 may move that specified changes be made to the
25 membership of any interim committee, with the vote 3 legislative days from the day the motion was made.

26 **H30-10. House standing committees -- appointments -- classification.** (1) (a) (i) The Speaker shall
27 determine the total number of members and after good faith consultation with the minority leader shall, with the
28 approval of the House by a majority vote, appoint the chairs, vice chairs, and members to the standing

1 members present and voting on 2 legislative days' notice as provided in subsection (9)(b)(ii).

2 (ii) A member under Order of Business No. 9 may move that specified changes be made to the
3 membership of any committee, with the vote 2 legislative days from the day the motion was made.

4 (10) (a) Except as provided for in subsection (10)(b), a standing, conference, select, or special
5 committee may not report a bill or action out of the committee prior to the approval of the committee
6 membership by the House in accordance with this section.

7 (b) The House Appropriations standing committee may report a bill or action out of committee prior to
8 the approval of the committee membership by the House in accordance with this section.

9 **H30-20. Chairman's duties.** (1) The principal duties of the chairman of standing or select committees
10 are to:

11 (a) preside over meetings of the committee and to put all questions;

12 (b) except as provided in H30-40(3)(b) and H30-50(3)(b), schedule all bills assigned to committee for a
13 hearing prior to 3 legislative days before the applicable transmittal deadline for the bill as provided in Joint Rule
14 40-200;

15 (c) maintain order and decide all questions of order subject to appeal to the committee;

16 (d) supervise and direct staff of the committee;

17 (e) have the committee secretary keep the ~~official record of the minutes~~ audio recording log;

18 (f) sign reports of the committee and submit them promptly to the Chief Clerk;

19 (g) appoint subcommittees to perform on a formal or an informal basis as provided in subsection (2);

20 **and**

21 (h) inform the Speaker of committee activity; and

22 (i) enforce fire code occupancy requirements.

23 (2) With the exception of the House Appropriations subcommittees, a subcommittee of a standing
24 committee may be appointed by the chairman of the committee. The chairman of the standing committee shall
25 appoint the chairman of the subcommittee.

26 **H30-30. Quorum -- officers as members.** (1) A quorum of a committee is a majority of the members
27 of the committee. A quorum of a committee must be present at a meeting to act officially. A quorum of a
28 committee may transact business, and a majority of the quorum, even though it is a minority of the committee,

1 is sufficient for committee action.

2 (2) The Speaker, the majority leader, and the minority leader are ex officio, nonvoting members of all
3 House committees. They may count toward establishing a quorum.

4 **H30-40. Meetings -- purpose -- notice --~~minutes~~ audio recording log.** (1) All meetings of
5 committees must be open to the public at all times, subject always to the power and authority of the chairman to
6 maintain safety, order, and decorum. The date, time, and place of committee meetings must be posted.

7 (2) A committee or subcommittee may be assembled for:

8 (a) a public hearing at which testimony is to be heard and at which official action may be taken on bills,
9 resolutions, or other matters;

10 (b) a formal meeting at which the committees may discuss and take official action on bills, resolutions,
11 or other matters without testimony; or

12 (c) a ~~work session meeting~~ at which the committee may discuss bills, resolutions, or other matters but
13 take no formal action.

14 (3) (a) All committees meet at the call of the chairman or upon the request of a majority of the members
15 of the committee.

16 (b) A committee, through motion, may schedule a bill within the possession of the committee for a
17 hearing prior to 3 legislative days before the applicable transmittal deadline for the bill as provided in Joint Rule
18 40-200.

19 (4) All committees shall provide for and give public notice, reasonably calculated to give actual notice to
20 interested persons, of the time, place, and subject matter of regular and special meetings. All committees are
21 encouraged to provide at least 3 legislative days' notice to members of committees and the general public.
22 However, a meeting may be held upon notice appropriate to the circumstances.

23 (5) A committee may not meet during the time the House is in session without leave of the Speaker.
24 Any member attending such a meeting must be considered excused to attend business of the House subject to
25 a call of the House.

26 (6) All meetings of committees must be recorded and the ~~minutes~~ audio recording logs must be
27 available to the public within a reasonable time after the meeting. The official record of the committee meeting
28 is the audio recording of the meeting, and the audio recording log must contain at least the following

1 information:

2 (a) the time and place of each meeting of the committee;

3 (b) committee members present, excused, or absent;

4 (c) the names ~~and addresses~~ of persons appearing before the committee, whom each represents, and

5 whether the person is a proponent, opponent, or other witness;

6 (d) all motions and their disposition;

7 (e) the results of all votes;

8 (f) references to the audio recording ~~log~~, sufficient to serve as an index to the original recording and

9 official record; and

10 (g) testimony and exhibits submitted in writing.

11 **H30-50. Procedures -- absentee or proxy voting -- member privileges.** (1) The chairman shall notify
12 the sponsor of any bill pending before the committee of the time and place it will be considered.

13 (2) A standing or select committee may not take up referred legislation unless the sponsor or one of the
14 cosponsors is present or unless the sponsor has given written consent. The chairman shall attempt to not
15 schedule Senate bills while the Senate is in session.

16 (3) (a) Subject to H30-60 and subsection (3)(b), the committee shall act on each bill in its possession
17 and that has had a hearing prior to the last legislative day before the applicable transmittal deadline for the bill
18 as provided in Joint Rule 40-200:

19 (i) by reporting the bill out of the committee:

20 (A) with the recommendation that it be referred to another committee;

21 (B) favorably as to passage; or

22 (C) unfavorably; or

23 (ii) by tabling the measure in committee.

24 (b) Except as provided in subsection (3)(c), at the written request of the sponsor made at least 48 hours
25 prior to a scheduled hearing, a bill may be withdrawn by the sponsor without a hearing. A bill may not be
26 reported from a committee without a hearing.

27 (c) A bill may not be withdrawn by the sponsor after a hearing.

28 (4) The committee may not report a bill to the House without recommendation.

1 (5) The committee may recommend that a bill on which it has made a favorable recommendation by
2 unanimous vote be placed on the consent calendar. A tie vote in a standing committee on the question of a
3 recommendation to the whole House on a matter before the committee, for example on a question of whether a
4 bill is recommended as "do pass" or "do not pass", does not result in the matter passing out to the whole House
5 for consideration without recommendation.

6 (6) In reporting a measure out of committee, a committee shall include in its report:

7 (a) the measure in the form reported out;

8 (b) the recommendation of the committee;

9 (c) an identification of all substantive changes; and

10 (d) a fiscal note, if required and available.

11 (7) If a measure is withdrawn from a committee and brought to the House floor for debate on second
12 reading on that day without a committee recommendation, the bill does not include amendments formally
13 adopted by the committee because committee amendments are merely recommendations to the House that are
14 formally adopted when the committee report is accepted by the House.

15 (8) A second to any motion offered in a committee is not required in order for the motion to be
16 considered by the committee.

17 (9) The vote of each member on all committee actions must be recorded. All motions may be adopted
18 only on the affirmative vote of a majority of the members voting. Standing and select committees may by a
19 majority vote of the committee authorize members to vote by proxy if absent, while engaged in other legislative
20 business or when excused by the presiding officer of the committee due to illness or an emergency.

21 Authorization for absentee or proxy voting must be reflected in the committee ~~minutes~~ [audio recording log](#).

22 (10) A motion to take a bill from the table may be adopted by the affirmative vote of a majority of the
23 members present at any meeting of the committee.

24 (11) An action formally taken by a committee may not be altered in the committee except by
25 reconsideration and further formal action of the committee.

26 (12) A committee may reconsider any action as long as the matter remains in the possession of the
27 committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

28 (13) (a) Except as provided in subsection (13)(b), legislation requested by a committee requires three-

1 fourths of all members of the committee to vote in favor of the question to allow the committee to request the
2 drafting or introduction of legislation. Votes requesting drafting and introduction of committee legislation may be
3 taken jointly or separately.

4 (b) The House Appropriations committee may request the drafting and introduction of legislation by a
5 majority vote of all of the members of the committee.

6 (14) The chairman shall decide points of order.

7 (15) The privileges of committee members include the following:

8 (a) to participate freely in committee discussions and debate;

9 (b) to offer motions;

10 (c) to assert points of order and privilege;

11 (d) to question witnesses upon recognition by the chairman;

12 (e) to offer any amendment to any bill; and

13 (f) to vote, either by being present or by proxy if authorized pursuant to subsection (9), using a standard
14 form or through the vice chairman or minority vice chairman.

15 (16) Any meeting of a committee held through the use of telephone or other electronic communication
16 must be conducted in accordance with Chapter 3 of the House Rules.

17 (17) A committee may consolidate into one bill any two or more related bills referred to it whenever
18 legislation may be simplified by the consolidation.

19 (18) Committee procedure must be informal, but when any questions arise on committee procedure,
20 the rules or practices of the House are applicable except as stated in the House Rules.

21 **H30-60. Public testimony -- decorum -- time restrictions.** (1) Subject to Joint Rule 30-05, remote or
22 in-person testimony from proponents, opponents, and informational witnesses must be allowed on every bill or
23 resolution before a standing or select committee. All persons, other than the sponsor, offering testimony shall
24 register on the committee witness list.

25 (2) Any person wishing to offer testimony to a committee hearing a bill or resolution must be given a
26 reasonable opportunity to do so, orally or in writing. Written testimony may not be required of any witness, but
27 all witnesses must be encouraged to submit a statement in writing for the committee's official record.

28 (3) The chairman may order the committee room cleared of visitors if there is disorderly conduct.

1 During committee meetings, visitors may not speak unless called upon by the chairman. Restrictions on time
2 available for testimony may be announced.

3 (4) The number of people in a committee room may not exceed the maximum posted by the State Fire
4 Marshal. The chairman shall maintain that limit.

5 (5) In any committee meeting, the use of cameras, television, radio, or any form of telecommunication
6 equipment is allowed, but the chairman may designate the areas of the hearing room from which the equipment
7 must be operated. Cell phone use is allowed only at the discretion of the chairman.

8 H30-70. Ethics Committee. (1) The Ethics Committee shall meet only upon the call of the chair after
9 the referral of an issue from the Rules Committee or the Legislator Conduct Panel or to consider a request for a
10 determination pursuant to subsection (4). The Rules Committee may be convened to consider the referral of a
11 matter to the Ethics Committee upon the request of a representative. The Rules Committee shall prepare a
12 written statement of the specific question or issue to be addressed by the Ethics Committee. Except for a
13 referral from the Legislative Conduct Panel, the issues referred to the Ethics Committee must be related to the
14 actions of a representative during a legislative session.

15 (2) The matters that may be referred to the Ethics Committee are:

16 (a) a violation of:

17 (i) 2-2-103, MCA;

18 (ii) 2-2-104, MCA;

19 (iii) 2-2-111, MCA;

20 (iv) 2-2-112, MCA; or

21 (v) Joint Rule 10-85;

22 (b) the use or threatened use of a representative's position for personal or personal business benefit or
23 advantage; or

24 (c) any other violation of law by a representative while acting in the capacity of representative.

25 (3) If there is a recommendation from the Ethics Committee, the recommendation is made to the
26 House.

27 (4) A representative may seek a determination from the Ethics Committee concerning the possibility of
28 a personal conflict of interest.

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CHAPTER 4

Legislation

H40-10. Introduction deadlines. If a representative accepts drafted legislation from the Legislative Services Division after the deadline for preintroduction, the representative may not introduce that legislation after 2 legislative days from the time the bill was accepted from the Legislative Services Division.

H40-20. House resolutions. (1) A House resolution is used to adopt or amend House rules, make recommendations on the districting and apportionment plan (Montana Constitution, Art. V, Sec. 14), express the sentiment of the House, or assist House operations.

(2) As to drafting, introduction, and referral, a House resolution is treated as a bill. A House resolution may be requested and introduced at any time. Final passage of a House resolution is determined by the Committee of the Whole report. A House resolution does not progress to third reading.

(3) The Chief Clerk shall transmit a copy of each passed House resolution to the Senate and the Secretary of State.

H40-30. Cosponsors. (1) ~~Prior~~Within 2 days from the date that the chief sponsor signs and accepts legislation from the Legislative Services Division and prior to submitting legislation to the Chief Clerk for introduction, the chief sponsor may add representatives and senators as cosponsors. A legislator shall sign the cosponsor form attached to the legislation in order to be added as a cosponsor.

(2) After legislation is submitted for introduction but before the legislation returns from the first House committee, the chief sponsor may add or remove cosponsors by filing a cosponsor form with the Chief Clerk. This filing must be noted by the Chief Clerk for the record on Order of Business No. 10.

H40-40. Introduction -- receipt -- messages from Senate and elected officials. (1) During a session, proposed House legislation may be introduced in the House by submitting it, endorsed with the signature of a representative as chief sponsor, to the Chief Clerk for introduction. Except for the first 15 bill numbers that may be reserved for preintroduced legislation, in each session of the Legislature, the proposed legislation must be numbered consecutively by type in the order of receipt. Submission and numbering of properly endorsed legislation constitutes introduction.

(2) Preintroduction of legislation prior to a session under provisions of the joint rules constitutes introduction in the House.

1 consideration of the Senate amendments.

2 (2) If the House accepts Senate amendments, the House shall place the final form of the legislation on
3 third reading to determine if the legislation, as amended, is passed or if the required vote is obtained.

4 (3) If the House rejects the Senate amendments, the House may request the Senate to recede from its
5 amendments or may direct appointment of a conference committee and request the Senate to appoint a like
6 committee.

7 **H40-230. Conference committee reports.** (1) When a House conference committee files a report, the
8 report must be announced under Order of Business No. 3.

9 (2) The House may debate and adopt or reject the conference committee report on second reading on
10 any legislative day. The House may reconsider its action in rejecting a conference committee report under rules
11 for reconsideration, ~~H50-160~~ H50-170.

12 (3) If both the House and the Senate adopt the same conference committee report on legislation
13 requiring more than a majority vote for final passage, the House, following approval of the conference
14 committee report on third reading, shall place the final form of the legislation on third reading to determine if the
15 required vote is obtained.

16 (4) If the House rejects a conference committee report, the committee continues to exist unless
17 dissolved by the Speaker or by motion. The committee may file a subsequent report.

18 (5) A House conference committee may confer regarding matters assigned to it with any Senate
19 conference committee with like jurisdiction and submit recommendations for consideration of the House.

20 **H40-240. Enrolling.** (1) When House legislation has passed both houses, it must be enrolled within 48
21 hours under the direction of the Speaker. The Speaker may grant an additional 24 hours for enrolling.

22 (2) The chief sponsor of the legislation shall examine the enrolled legislation and, if it has no enrolling
23 errors, shall, within 1 legislative day, certify the legislation as correctly enrolled.

24 (3) The correctly enrolled legislation must be delivered to the Speaker, who shall sign the legislation
25 within 1 day of receipt of the correctly enrolled legislation unless the bill sponsor concurs to delay the signing of
26 the enrolled legislation.

27 (4) After the legislation has been reported correctly enrolled but before it is signed, any representative
28 may examine the legislation. (See Joint Rule 40-160.)

1 (3) (a) Except as provided in subsection (3)(b), no more than one substitute motion is in order at any
2 one time.

3 (b) A motion for cloture is in order on a substitute motion to amend.

4 **H50-130. Withdrawing motions.** A representative who proposes a motion may withdraw it before it is
5 voted on or amended.

6 **H50-140. Dividing a question.** Except as provided in H40-180(3), a representative may request to
7 divide a question as a matter of right if it includes two or more propositions so distinct that they can be
8 separated and if at least one substantive question remains after one substantive question is removed. The
9 request is nondebatable under H50-90. The presiding officer may rule that a question is nondivisible. The ruling
10 of the chair may be appealed as provided in H20-20(1), H-20-80(2), H50-160~~(11)~~ or (13), and H70-50. For an
11 appeal of a ruling of the presiding officer, the question for the house must be stated as, "Shall the ruling of the
12 chair be upheld?"

13 **H50-150. Previous question -- close.** (1) If a majority of representatives present and voting adopts a
14 motion for the previous question, debate is closed on the question and it must be brought to a vote. The
15 Speaker may not entertain a motion to end debate unless at least one proponent and one opponent have
16 spoken on the question.

17 (2) Notwithstanding the passage of a motion to end debate, the sponsor of the motion on which debate
18 was ended may close.

19 **H50-160. Questions requiring other than a majority vote.** The following questions require the vote
20 specified for each condition:

21 **100 House Members**

22 (1) a motion to approve a bill to appropriate the principal of the tobacco settlement trust fund pursuant
23 to Article XII, section 4, of the Montana Constitution (two-thirds);

24 (2) a motion to approve a bill to appropriate the principal of the coal severance tax trust fund pursuant
25 to Article IX, section 5, of the Montana Constitution (three-fourths);

26 (3) a motion to approve a bill to appropriate highway revenue, as described in Article VIII, section 6, of
27 the Montana Constitution, for purposes other than therein described (three-fifths);

28 (4) a motion to approve a bill to authorize creation of state debt pursuant to Article VIII, section 8, of the

1 Montana Constitution (two-thirds);

2 (5) a motion to appropriate the principal of the noxious weed management trust fund pursuant to Article
3 IX, section 6, of the Montana Constitution (three-fourths);

4 (6) a motion to temporarily suspend a joint rule governing the procedure for handling bills pursuant to
5 Joint Rule 60-10(2) (two-thirds).

6 **Members Present and Voting**

7 (1) a motion to override the Governor's veto pursuant to H40-260 and Article VI, section 10(3), of the
8 Montana Constitution (two-thirds);

9 (2) a motion to lift a call of the House pursuant to H50-30(3) (two-thirds);

10 (3) a motion to withdraw a bill from a committee after a committee hearing on the bill pursuant to H40-
11 90 approved by no fewer than 55 of the members;

12 (4) a motion to remove legislation from its normal progress through the House as provided under H40-
13 80(3) and reassign it unless otherwise specifically provided by these rules (three-fifths);

14 (5) a motion to change a vote pursuant to H50-210 (unanimous);

15 (6) a motion to call for cloture pursuant to H40-170(2) (two-thirds);

16 (7) a motion to approve a bill conferring immunity from suit as described in Article II, section 18, of the
17 Montana Constitution (two-thirds);

18 (8) a motion to amend rules pursuant to H70-10(2) or suspend rules pursuant to H70-30 (two-thirds);

19 (9) a motion to record a vote pursuant to H50-200(2) (one representative);

20 (10) a motion to record a vote in the journal (two representatives);

21 ~~(11) an appeal of the ruling of the presiding officer pursuant to H20-20(1) or H20-80(2) (three~~
22 ~~representatives);~~

23 ~~(12)(11)~~ a motion to speak more than once on a debatable motion pursuant to H50-80(1) (unanimous
24 vote);

25 ~~(13)(12)~~ a motion by the House to change the membership of a committee pursuant to H30-05(3) and
26 H30-10(9) approved by three-fifths of the members;

27 ~~(14)(13)~~ a motion to appeal the presiding officer's interpretation of the rules to the House Rules
28 Committee pursuant to H70-50 (15 representatives).

1 **Entire Legislature**

2 (1) a motion to approve a bill proposing to amend the Montana Constitution pursuant to Article XIV,
3 section 8, of the Montana Constitution (two-thirds of the entire Legislature).

4 **H50-170. Reconsideration -- time restriction.** (1) Any representative may, within 1 legislative day of a
5 vote, move to reconsider the House vote on any matter still within the control of the House.

6 (2) A motion to reconsider is a debatable motion, but the debate is limited to the motion. The debate on
7 a motion to reconsider is limited to two proponents and two opponents to the motion and the debate may not
8 address the substance of the matter for which reconsideration is sought. However, an inquiry may be made
9 concerning the purpose of the motion to reconsider.

10 (3) A motion for reconsideration, unless tabled or replaced by a substitute motion, must be disposed of
11 when made.

12 (4) When a motion for reconsideration fails, the question is finally settled. A motion for reconsideration
13 may not be renewed or reconsidered.

14 (5) A motion to recall legislation from the Senate constitutes a motion to reconsider and is subject to the
15 same rules.

16 (6) A motion for reconsideration is not in order on a vote to postpone to a day certain or to table
17 legislation.

18 (7) There may be only one reconsideration vote on a specific issue on a legislative day.

19 **H50-180. Renewing procedural motions.** The House may renew a procedural motion if further House
20 business has intervened.

21 **H50-190. Tabling.** (1) Under Order of Business No. 9, a representative may move to table any
22 question, motion, or legislation before the House except the question of a quorum or a call of the House. The
23 motion is nondebatable and may not be amended.

24 (2) When a matter has been tabled, a representative may move to take it from the table under Order of
25 Business No. 9 on any legislative day.

26 **H50-200. Voting -- conflict of interest -- present by electronic means.** (1) The representatives shall
27 vote to decide any motion or question properly before the House. Each representative has one vote.

28 (2) The House may, without objection, use a voice vote on procedural motions that are not required to